KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. VI] Trivandrum, Friday, 10th November 1961 / 19th Kartika 1883 [No. 125

LEGISLATURE SECRETARIAT

NOTIFICATION

No. 5586-LA7|61.

Dated, Trivandrum, 10th November 1961.

The following Bill together with the Statement of Objects and Reasons, is published, as ordered by the Speaker under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

D. TIRUMALAI IYENGAR,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1961.

L. A. Bill No. 25 of 1961.

THE KERALA MUNICIPALITIES (AMENDMENT) BILL, 1961

A

BILL

to provide for the further postponement of the constitution of the Badagara Municipal Council and the re-constitution of the Changanacherry Municipal Council.

Preamble.—WHEREAS it is expedient to provide for the further postponement of the constitution of the Badagara Municipal Council and the re-constitution of the Changanacherry Municipal Council;

BE it enacted in the Twelfth year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Municipalities (Amendment) Act, 1961.

2. *Postponement of the constitution of the Badagara Municipal Council.*—Notwithstanding anything contained in section 412 or any other provision of the Kerala Municipalities Act, 1960 (Act 14 of 1961), the Government may, by notification in the Gazette, for reasons to be stated in the notification, fix any day not later than the 1st day of June, 1962 to be the day on which the newly elected Councillors of the Badagara Municipality may come into office.

3. *Postponement of reconstitution of the Changanacherry Municipal Council.*—Notwithstanding anything contained in Section 54 of the Kerala Municipalities Act, 1960 (Act 14 of 1961), the Government may, by notification in the Gazette, for reasons to be stated in the notification, postpone the re-constitution of the Changanacherry Municipal Council up to such date not later than the 1st day of June, 1962 as may be specified in the notification.

4. *Repeal.*—The Kerala Municipal Laws (Amendment) Act, 1961 (Act 8 of 1961) and the Kerala Municipalities (Amendment) Ordinance, 1961 (Ordinance No. 6 of 1961) are hereby repealed.

STATEMENT OF OBJECTS AND REASONS

The Kerala Municipalities Act, 1960 (Act 14 of 1961) was brought into force with effect from 1-9-1961 and the term of the existing chairmen and councillors of all the Municipal councils excluding Badagara and Changanacherry was extended up to 1-6-1962, under section 410 of the Act.

The Badagara Municipality was constituted with effect from 1-10-1958, but the council was not constituted and a special officer has been performing the functions of the council

and chairman according to the provisions of the Madras District Municipalities Act. The Government in exercise of the powers under Section 368 of the Madras District Municipalities Act fixed the first day of September, 1961 to be the day on which the newly elected councillors of Badagara Municipality has to come into office. When the Kerala Municipalities Act came into force on 1-9-1961, the Madras District Municipalities Act stood repealed. Under the proviso (ii) to Section 2 of the Kerala Municipalities Act, the Badagara Municipality will be deemed to have been constituted under that Act. Under section 412 (2) of the Kerala Municipalities Act, the maximum period by which the constitution of the council can be postponed is 1½ years from the date of the original constitution. This period has already expired in the case of the Badagara Municipality. Therefore a further extension under Section 412 (2) of the Kerala Municipalities Act is not possible. Legislation was therefore necessary for further postponement of the date of the constitution of the Badagara Municipal Council.

Under Section 45 (2) of the Travancore District Municipalities Act, the Changanacherry Municipal Council was superseded for the period up to 1-9-1960. The date for re-constitution was subsequently fixed as 1-3-1961, under Section 45 (5) of the Act. It was then postponed to 1-9-1961 as per notification issued under Section 3 of the Kerala Municipal Laws (Amendment) Act, 1961. As the election to the various Municipal councils have been postponed, the reconstitution of the council at Changanacherry has also to be further postponed. For this purpose also legislation was necessary.

Since the Legislative Assembly was not in session, the Kerala Municipalities (Amendment) Ordinance, 1961 was promulgated by the Governor for the above purposes. The Ordinance empowered the Government to further postpone the constitution and reconstitution of the Badagara and Changanacherry Municipalities respectively up to first day of June, 1962.

The Bill seeks to replace the Ordinance by an Act of the Legislature.

P. P. UMMER KOYA.

REGISTERED No. M. 7463.

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Vol. VI] Trivandrum, Friday, 10th November 1961 / 19th Kartika 1883 [No. 124

LEGISLATURE SECRETARIAT

NOTIFICATION

No. 5587|LA-1|61.

Dated, Trivandrum, 10th November 1961.

Shri C. H. Mohammed Koya has resigned his office of the Speaker, Kerala Legislative Assembly with effect from the 10th November 1961.

D. TIRUMALAI,
Secretary,
Legislative Assembly.

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